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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/562,079	12/22/2005	Francisco Romero	14700-008US1 F/USP288234	9471
26161 7590 06/18/2008 FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022				
EXAMINER				
RUSSEL, JEFFREY E				
ART UNIT		PAPER NUMBER		
1654				
MAIL DATE		DELIVERY MODE		
06/18/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

1. The listing of claims filed June 5, 2008 does not comply with 37 CFR 1.121(c) because claims 11-13 are not followed by one of the permitted status identifiers within parentheses. In the response to this Office action, Applicants are required to re-submit a complete listing of claims in compliance with 37 CFR 1.121(c).
2. The Sequence Listing filed January 15, 2008 is approved, and the requirement set forth in section 1 of the Office action mailed February 5, 2008 is satisfied.
3. The rejection of claims 10 and 18 under 35 U.S.C. 112, first paragraph, set forth in section 3 of the Office action mailed February 5, 2008 is maintained. Applicants' response, including the declaration by Ortega filed June 5, 2008, does not address the requirement set forth at page 3, second full paragraph, and page 5, second full paragraph, for an affidavit, declaration, or statement that all restrictions imposed by the depositor on the availability to the public of the deposited material will be irrevocably removed upon the granting of a patent. See 37 CFR 1.808 and MPEP 2410.01, page 2400-16, column 1, first full paragraph (August 2001).
4. The rejection set forth in section 4 of the Office action mailed February 5, 2008 is overcome by Applicants' amendment.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey E. Russel at telephone number (571) 272-0969. The examiner can normally be reached on Monday-Thursday from 8:00 A.M. to 5:30 P.M. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Cecilia Tsang can be reached at (571) 272-0562. The fax number for formal communications to be entered into the record is (571) 273-8300; for informal communications such as proposed amendments, the fax number (571) 273-0969 can be used. The telephone number for the Technology Center 1600 receptionist is (571) 272-1600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jeffrey E. Russel/

Primary Examiner, Art Unit 1654

JRussel

June 17, 2008